

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA**

**v.**

**MATTHEW SIMINERI**

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**CRIMINAL NUMBER 16-435**

**ORDER**

**AND NOW**, this            day of            , 2017, the Court being advised that defense counsel needs additional time to determine if a non-trial disposition is possible, and that the Government has no objection to the defendant's motion, the Court finds that the ends of justice to be served by granting a continuance in this matter outweigh the public's interest in a speedy trial, and therefore pursuant to Title 18, United States Code, § 3161(h)(7)(A), (B) and (C), it is hereby

**ORDERED** that the defendant's unopposed motion for continuance of trial is **GRANTED**.

Trial in this matter shall begin on the            day of            , 2017.

**BY THE COURT:**

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**THE HONORABLE JEFFREY L. SCHMEHL**  
United States District Court Judge

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA**

**v.**

**MATTHEW SIMINERI**

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**CRIMINAL NUMBER 16-435**

**DEFENDANT’S UNOPPOSED MOTION  
FOR A THIRTY (30) DAY CONTINUANCE OF TRIAL**

Matthew Simineri, by his counsel undersigned, respectfully requests that the Court continue the trial. In support of this request, it is stated:

1. On October 27, 2016, Mr. Simineri was arraigned before the Honorable Richard A. Lloret.
2. Trial in this matter is scheduled to commence on February 22, 2017.
3. Additional time is requested to determine if a non-trial disposition is possible.
4. Under the Speedy Trial Act, Title 18 U.S.C. § 3161(h)(7)(A), (B) and (C), the period of delay resulting from a continuance is excludable where granting the continuance serves the ends of justice and outweighs the best interest of the public and the defendant in a speedy trial.
5. Failure to grant this request for a continuance would result in a miscarriage of justice, 18 U.S.C. § 3161(h)(7)(B)(I).
6. Failure to grant the continuance would deny counsel for the defendant the reasonable time necessary for preparing effectively to represent this defendant in this matter.

7. Failure to grant this continuance will also deny counsel for the defendant the opportunity to explore a non-trial disposition of this matter with the government.

8. Undersigned counsel has spoken with the defendant who has advised that he has no objection to this request.

9. The parties request the matter be listed on March 27, 2017 if the Court is available.

10. Michelle Rotella, Assistant United States Attorney has advised counsel that she has no objection to this request.

**WHEREFORE**, for the foregoing reasons, the defense respectfully requests that this motion be granted and the trial be continued for thirty (30) days.

Respectfully submitted,

/s/ Kathleen M. Gaughan  
KATHLEEN M. GAUGHAN  
Assistant Federal Defender

**CERTIFICATE OF SERVICE**

I, Kathleen M. Gaughan, Assistant Federal Defender, Federal Community Defender Office for the Eastern District of Pennsylvania, hereby certify that I have served a copy of Defendant's Unopposed Motion for a Thirty (30) Day Continuance of Trial, via electronically through Eastern District Clerk's Office Electronic Case Filing and/or by hand delivery upon:

Michelle Rotella, Assistant United States Attorney  
United States Attorney's Office  
615 Chestnut Street, Suite 1250  
Philadelphia, Pennsylvania 19106.

/s/ Kathleen M. Gaughan  
KATHLEEN M. GAUGHAN  
Assistant Federal Defender

DATE: January 25, 2017